IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3327 OF 2006.

Renish Anwar Khoja ..Applicant.
V/s
The State of Maharashtra
Andanother ..Respondents.

Mr. Ramprasad V. Gupta for the applicant.
Ms. R.M. Gadhvi,APP for the respondents.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 28TH SEPTEMBER, 2006.

P.C.

. The applicant is arrested in connection with C.R..No 251/2005 alleging offences punishable under section 454, 380, 328, 34 of Indian Penal code. He has been arrested on 9th October, 2005. Investigations are complete and the charge-sheet is filed.

2. The main apprehension of the prosecution before the Trial Court as well as before me is that the applicant is residing at Ahmedabad, in the State of Gujrat. He will not be available for trial, if released on bail. He is involved in similar cases. It is on this count that the trial Court did not extend the benefit of parity to the applicant. The co-accused has

already been enlarged on bail.

3. An affidavit is filed by the prosecution on 19th September, 2006 and the I.O. has enlisted about 33 cases which are pending against the present applicant registered at different police stations alleging more or less identical offences. This figure is not disputed by the applicant.

4. The applicant has given undertaking to this court in which after admitting the fact of pendency of the above cases, he undertakes that he will attend the cases either himself or through his advocate and would not remain absent there at. He would not enter the city of Mumbai except for reporting at police station once in a month and attending the cases pending against him in the Metropolitan Magistrate’s Court and Sessions Court.

5. He undertakes that registration of any further C.R. would entail in cancellation of bail granted in his favour. In the light of the above undertaking and considering the fact, that the investigations are complete and charge-sheet is filed, I am of the opinion, that applicant deserves to be enlarged on bail. Hence,

the following order:-

i) The applicant arrested in connection with C.R.No 251/2005 registered with Cuff Parade Police Station shall be enlarged on bail subject to furnishing a personal bond of Rs. 20,000/- with one or two local sureties in the like amount.

ii) The applicant shall attend Cuff Parade Police station once in a month till conclusion of the trial.

iii) Save and except reporting at Police Station and attending Criminal Cases pending against him the applicant shall not enter the limits of Greater Bombay and its suburbs till the conclusion of the trial.

iv) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without

prior intimation to the Investigating officer.

v) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

vi) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vii) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

viii) Application is disposed of in above terms.

ix) Parties to act on an authenticated copy of this order.

(S.C. DHARMADHIKARI, J.)